

## AIR QUALITY PERMIT

Issued To: EH Oftedal and Sons      Permit #3064-01  
P.O. Box 400      Administrative Amendment (AA) Request Received: 11/17/03  
Miles City, MT. 59301      Department Decision on AA: 01/12/04  
Permit Final: 1/28/04  
AFS #777-3064

An air quality permit, with conditions, is hereby granted to EH Oftedal and Sons (Oftedal), pursuant to Sections 75-2-204 and 211, Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

### Section I: Permitted Facilities

#### A. Location

Oftedal operates a portable crushing/screening facility at various locations throughout Montana. Permit #3064-01 applies while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program, those areas considered tribal lands, or those areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas. An addendum to this air quality permit will be required if Oftedal intends to locate in or within 10 km of certain PM<sub>10</sub> nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* A complete list of the permitted equipment is contained in Section I.A of the permit analysis.

#### B. Current Permit Action

On November 17, 2003, Oftedal submitted a request for an administrative amendment to Permit #3064-00 to allow Oftedal to take advantage of the provisions of ARM 17.8.745 (de minimis). The permit was changed to satisfy the Oftedal request. In addition, the current permit language and rule references used by the Department were added to the permit.

### Section II: Conditions and Limitations

#### A. Emission Limitations

1. All visible emissions from any Standards of Performance for New Stationary Sources (NSPS) affected crushers may not exhibit an opacity of 15% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart OOO).
2. Oftedal shall not cause or authorize to be discharged into the atmosphere from any other NSPS affected equipment used in conjunction with this facility, such as screens or conveyor transfers, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
3. Oftedal shall not cause or authorize to be discharged into the atmosphere from any other associated equipment, such as screens or transfer points, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and ARM 17.8.752).

4. Oftedal shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
5. Oftedal shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.4 (ARM 17.8.752).
6. Water and water spray bars shall be available on site at all times and used, as necessary, to maintain compliance with the opacity limitation in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.752).
7. If the permitted equipment is used in conjunction with any other equipment owned or operated by Oftedal at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
8. Oftedal shall not operate more than 3 crushers at any given time and the combined maximum rated design capacity shall not exceed 2,400 Tons Per Hour (TPH) (ARM 17.8.749).
9. Total combined crusher production from the facility shall be limited to 1,733,750 tons during any rolling 12-month time period (ARM 17.8.749).
10. Oftedal shall not operate more than 3 screens at any given time and the maximum rated design capacity shall not exceed 3,000 TPH (ARM 17.8.749).
11. Total combined screen production from the facility shall be limited to 1,733,750 tons during any rolling 12-month time period (ARM 17.8.749).
12. Oftedal shall not operate more than 3 generators at any given time and the maximum cumulative rated design capacity shall not exceed 1,775 Kilowatts (kW) (ARM 17.8.749).
13. Oftedal is limited to 2,646 combined hours of operation for the 3 diesel generators during any rolling 12-month time period (ARM 17.8.1204).
14. Oftedal shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

**B. Testing Requirements**

1. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
2. The Department may require testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this portable crushing/screening plant is moved to another location, an Intent to Transfer Form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer Form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.765).
2. Oftedal shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by Oftedal as a permanent business record for at least 5 years following the date of the measurement, shall be available at the plant site for inspection by the Department, and shall be submitted to the Department upon request (ARM 17.8.749).
3. Oftedal shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in units, as required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

4. Oftedal shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to start-up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1)(d)(ARM 17.8.745).
5. Oftedal shall document, by month, the total crushing production for the facility. By the 25th day of each month, Oftedal shall total the crushing production during the previous 12 months to verify compliance with the limitation in Section II.A.9. A written report of the compliance verification shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Oftedal shall document, by month, the total screening production for the facility. By the 25th day of each month, Oftedal shall total the screening production during the previous 12 months to verify compliance with the limitation in Section II.A.11. A written report of the compliance verification shall be submitted along with the annual emission inventory (ARM 17.8.749).

7. Oftedal shall document, by month, the total hours of operation of the three diesel generators. By the 25th day of each month, Oftedal shall total the hours of operation of the diesel generators during the previous 12 months to verify compliance with the limitation in Section II.A.13. A written report of the compliance verification shall be submitted along with the annual emission inventory (ARM 17.8.749).
8. Oftedal shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted with the annual emissions inventory information (ARM 17.8.749 and ARM 17.8.1204).

Section III: General Conditions

- A. Inspection – Oftedal shall allow the Department’s representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Oftedal fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Oftedal of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions, and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing postpones the effective date of the Department decision until the conclusion of the hearing and issuance of a final decision by the Board. The Department's decision on the application is not final unless 15 days have elapsed and there is no request for a hearing under this section.
- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Construction Commencement - Construction must begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.

- H. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay by Oftedal of an annual operation fee may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Oftedal shall comply with the conditions contained in this permit while operating at any location in Montana, except within those areas having a Department approved permitting program.

PERMIT ANALYSIS  
EH Oftedal and Sons  
Permit Number 3064-01

I. Introduction/Process Description

A. Permitted Equipment

EH Oftedal and Sons (Oftedal), operates a portable 1996 Nordberg HP400 cone crusher (maximum capacity up to 1000 TPH); a portable 1984 Nordberg Omni cone crusher (maximum capacity up to 1000 TPH); a pre-1984 Austin Westin (32"x40") jaw crusher (maximum capacity up to 400 TPH); a portable 1995 EL Jay Twin (6'x20') 3-deck screen (maximum capacity up to 1000 TPH); a portable 1984 EL Jay (6'x16') 3-deck screen (maximum capacity up to 1000 TPH); two diesel generators (up to 800 kW for each); a diesel generator (up to 175 kW); and associated equipment.

B. Process Description

The crushing/screening plant is used to crush and sort sand and gravel materials for sale and use in construction operations. For a typical operational setup, the raw materials will initially be sent through the primary screen. From the primary screen, the raw materials will be sent (via conveyor) to the primary crusher. Next, the materials will be sent (via conveyor) to the secondary screen. Then, the materials will be sent (via conveyor) either back to the primary crusher or on to the secondary crusher for further processing. From the secondary crusher, materials will be sent (via conveyor) to the tertiary screen and, ultimately, to a stockpile for use in construction operations.

C. Permit History

On September 1, 1999, Oftedal was issued **Permit #3064-00** for the operation of a portable 1996 Nordberg HP400 cone crusher (maximum capacity 1000 TPH); a portable 1984 Nordberg 1352 Omni cone crusher (maximum capacity 1000 TPH); a pre-1983 Austin Westin 32"x40" jaw crusher (maximum capacity 400 TPH); a portable 1995 EL Jay Twin (two screens) 6'x20' three-deck screen plant (maximum capacity 1000 TPH each screen); a portable 1984 EL Jay 6'x16' three-deck screen (maximum capacity 1000 TPH); a Detroit Marathon Tandem (two generator) diesel generator set (800 kW each generator); a Detroit Marathon diesel generator (175 kW); and associated equipment.

D. Current Permit Action

On November 17, 2003, Oftedal submitted a request for an administrative amendment to Permit #3064-00 to allow Oftedal to take advantage of the provisions of ARM 17.8.745 (de minimis). The permit was changed to satisfy the Oftedal request. In addition, the current permit language and rule references used by the Department were added to the permit. **Permit #3064-01** will replace Permit #3064-00.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the permit analysis associated with each change to the permit.

## II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

### A. ARM 17.8, Subchapter 1 - General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary, using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Oftedal shall comply with all requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

### B. ARM 17.8, Subchapter 2 - Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM<sub>10</sub>

Oftedal must comply with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 - Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Oftedal shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this rule.
4. ARM 17.8.310 Particulate Matter, Industrial Processes. This rule requires that no person shall cause or allow to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this rule.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.
7. ARM 17.8.340 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, NSPS, shall comply with the standards and provisions of 40 CFR Part 60.

In order for a crushing/screening plant to be subject to NSPS requirements, two specific criteria must be met. First, the crushing/screening plant must meet the definition of an affected facility and, second, the equipment in question must have been constructed, reconstructed, or modified after August 31, 1983. Based on the information submitted by Oftedal, at the time of issuance of Permit #3064-01, the crushing/screening equipment to be used under Permit #3064-01 is subject to NSPS requirements because the date of manufacture and size of the equipment (40 CFR Part 60, Subpart A General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants) classified the equipment as "affected equipment".

D. ARM 17.8, Subchapter 5 - Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:



1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that Oftedal submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Oftedal submitted the appropriate permit application fee as required for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7 - Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, modify, or use any asphalt plant, crusher, or screen that has the Potential to Emit (PTE) greater than 15 tons per year of any pollutant. Oftedal has a PTE greater than 15 tons per year of total particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), and Sulfur Dioxide (SO<sub>x</sub>); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit Program.
4. ARM 17.8.745 Montana Air Quality Permits—Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, modification, or use of a source. Oftedal was not required to submit a permit application for the current permit action because the current permit action is an administrative amendment, with no increase in potential emissions. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Oftedal was not required to submit a permit application for the current permit action because the current permit action is an administrative amendment, with no increase in potential emissions.
6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires

that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.

7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section IV of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Oftedal of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond those found in its permit, unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 - Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year (excluding fugitive emissions) of any air pollutant.

G. ARM 17.8, Subchapter 12 - Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
  - a. PTE > 100 tons/year of any pollutant;
  - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or a lesser quantity as the Department may establish by rule; or
  - c. PTE > 70 tons/year of PM<sub>10</sub> in a serious PM<sub>10</sub> nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990, requires that all sources, as defined in ARM 17.8.1204(1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3064-01 for the Oftedal facility, the following conclusions were made:
  - a. The facility's PTE is less than 100 tons/year for any pollutant.
  - b. The facility's PTE is less than 10 tons/year of any one HAP and less than 25 tons/year of all HAPs.
  - c. This source is not located in a serious PM<sub>10</sub> nonattainment area.
  - d. This facility is not subject to any current NESHAP standards.

- e. This facility is subject to current NSPS standards (40 CFR 60, Subpart A General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants OOO).
- f. This source is not a Title IV affected source nor a solid waste combustion unit.
- g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that Oftedal will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Oftedal will be required to obtain a Title V Operating Permit.

- h. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations, which limit that source's potential to emit.
  - i. In applying for an exemption under this section, the owner or operator of the source shall certify to the Department that the source's potential to emit does not require the source to obtain an air quality operating permit.
  - ii. Any source that obtains a federally enforceable limit on potential to emit shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

The Department has determined that the annual reporting requirements contained in the permit are sufficient to satisfy this requirement.

- 3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness. The compliance certification submittal required by ARM 17.8.1204(3) shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this subchapter shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

### III. Emission Inventory

Source	Tons/Year					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
1986 Nordberg HP400 Cone Crusher (1000 TPH)	4.33	2.08				
1984 Nordberg 1352 Omni Cone (1000 TPH)	4.33	2.08				
Pre-1983 Austin Westin 32"x40" Jaw Crusher (400 TPH)	1.73	0.83				
1995 El Jay 6'x20' Twin 3-deck Screen (1000 TPH)	27.31	13.00				
1995 El Jay 6'x20' Twin 3-deck Screen (1000 TPH)	27.31	13.00				
1984 El Jay 6'x16' 3-deck Screen (1000 TPH)	27.31	13.00				
Material Transfer	67.88	32.77				
Pile Forming	21.85	10.40				
Bulk Loading	7.28	3.47				
Detroit/ Marathon Tandem Diesel Generator Set (800 kW)	0.99	0.99	34.06	1.00	7.81	11.48
Detroit/ Marathon Tandem Diesel Generator Set (800 kW)	0.99	0.99	34.06	1.00	7.81	11.48
Detroit/Marathon Diesel Generator (175 kW)	0.68	0.68	9.62	0.77	2.07	0.64
Haul Roads	2.74	1.23				
<b>Total</b>	<b>194.73</b>	<b>94.52</b>	<b>77.74</b>	<b>2.77</b>	<b>17.69</b>	<b>23.60</b>

- Because Permit #3064-01 is an Administrative Amendment, the existing emission inventory for Permit #3064-00 was used and a complete copy is on file with the Department.

### IV. BACT Determination

A BACT determination is required for any new or modified source. Oftedal shall install on the new or modified source the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be used. A BACT analysis was not required for this permit action because the change to the permit reflects an administrative amendment, with no increase in emissions.

### V. Existing Air Quality

Permit #3064-01 will cover the operation while operating at any location within Montana, excluding those counties that have a Department approved permitting program, those areas considered Tribal Lands, or those areas in or within 10 kilometers (km) of certain PM<sub>10</sub> nonattainment areas. Included in the permit are operational conditions and limitations that would protect air quality for this site and the surrounding area.

### VI. Air Quality Impacts

Permit #3064-01 will cover the operations of this portable crushing/screening plant while operating in those areas within Montana, classified as being in attainment with federal ambient air quality standards, and those areas still undefined (not yet classified). Based on the information provided, and the conditions established in Permit #3064-01, the amount of controlled emissions generated by this facility should not result in an exceedance of any set ambient air quality standard.

### VII. Taking or Damaging Analysis

As required by 2-10-101 through 105, MCA, the Department conducted a private property taking

and damaging assessment and determined there are no taking or damaging implications.

#### VIII. Environmental Assessment

An environmental assessment was not required for this permit action because the action is an administrative amendment for the de minimis addition of equipment.

Permit Analysis Prepared By: Ron Lowney

Date: December 16, 2003